

In the United States Court of Federal Claims

No. 19-373 C

Filed: August 20, 2021

GREEN SOLAR LOUISIANA, L.L.C.,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

This case has been stayed since November 2020 when Plaintiff's second counsel moved to withdraw. *See* ECF No. 18. The Court has extended the stay at Plaintiff's request on several occasions. *See* ECF Nos. 20, 23, 25. When the Court extended the stay on April 22, 2021, the Court stated that "[b]arring extraordinary circumstances, the Court will not extend the stay any further." ECF No. 23. The April 22 Order extended the stay until June 15, 2021, which was seven months after the initial stay.

On the day the stay was set to expire, Plaintiff filed another motion to extend the stay until August 15, 2021. ECF No. 24. Plaintiff's motion says nothing about what extraordinary circumstances prevented it from obtaining counsel over the prior several months. Although not inclined to grant the extension of the stay without any explanation, the Court did so. ECF No. 25. In extending the stay until August 16, 2021 (the 15th was a Sunday), the Court stated: "If Plaintiff has not retained substitute counsel by that date, the Court will grant counsel's motion to withdraw and dismiss this matter without prejudice to refile if Plaintiff secures new counsel." *Id.*

August 16 came and went without anything from Plaintiff. At this point, the Court has stayed this matter for more than nine months to allow Plaintiff to obtain new counsel without any indication that Plaintiff has done so. All the while, Plaintiff's counsel has been unable to withdraw. The *status quo* is no longer tenable.

Therefore, the Court orders as follows:

1. Plaintiff's counsel's motion to withdraw (ECF No. 17) is **GRANTED**.
2. This case is **DISMISSED** without prejudice to refiling pursuant to Rule 41(b), and the Clerk is directed to enter judgment accordingly.

3. The Government's motion to dismiss (ECF No. 14) is **DENIED AS MOOT**.
4. Each party shall bear its own costs.

IT IS SO ORDERED.

s/ Edward H. Meyers
Edward H. Meyers
Judge